

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAM PEREZ,

Petitioner,

v.

MARION E. SPEARMAN, Warden,

Respondent.

No. C 15-00147 BLF (PR)

**ORDER OF DISMISSAL**

Petitioner has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On February 9, 2015, mail sent to the Plaintiff by the Court was returned as undeliverable with a notation that the Plaintiff was no longer in custody. (Docket No. 18.) As of the date of this order, Plaintiff has not filed a notice of change of address or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding *pro se* must promptly file a notice of change of address while an action is pending. See L.R. 3-11(a). The Court may, without prejudice, dismiss a petition when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable, and (2) the Court fails to receive within sixty days of this return a written communication from the *pro se* party indicating a current address. *See* L.R. 3-11(b).

1 More than sixty days have passed since the mail addressed to Plaintiff was  
2 returned as undeliverable. The Court has not received a notice from Plaintiff of a  
3 new address. Accordingly, the instant habeas petition is **DISMISSED** without  
4 prejudice pursuant to Rule 3-11 of the Northern District Local Rules.

5 **IT IS SO ORDERED.**

6  
7 DATED: April 15, 2015

  
BETH LABSON FREEMAN  
United States District Judge